

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Michael Rigsbee

Docket No. 7:18-CR-134-1BO

Petition for Action on Supervised Release

COMES NOW Cierra M. Wallace, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Michael Rigsbee, who, upon an earlier plea of guilty to two counts of Distribution of a Quantity of Heroin, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C), was sentenced by the Honorable Terrence W. Boyle, Chief United States District Judge, on July 24, 2019, to the custody of the Bureau of Prisons for a term of 21 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Rigsbee was released from the Bureau of Prison on July 2, 2020, directly to a state detainer with the Ohio Department of Rehabilitation and Corrections.

Rigsbee was released from custody in Ohio on January 5, 2021, at which time the term of supervised release commenced.

On January 19, 2021, a Petition for Action on Supervised Release was submitted to the court requesting drug treatment and mental health treatment be added to his conditions. The court agreed.

On August 13, 2021, a violation report was submitted reporting criminal conduct. It was recommended that supervision continue and the court agreed.

On October 18, 2021, a violation report was submitted reporting drug use. It was recommended that supervision continue and the court agreed.

On December 7, 2021, a violation report was submitted reporting criminal conduct. It was recommended that supervision continue and the court agreed.

On April 25, 2022, a Petition for Action on Supervised Release was submitted to the court reporting drug use. It was recommended that he complete 24 hours of community service and the court agreed.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On July 7, 2022, the defendant submitted a positive uranalysis for cocaine and marijuana. This test was also confirmed by Abbott Laboratories on July 15, 2022. Cognitive intervention techniques were utilized to promote improved decision making and to assist him in avoiding similar behaviors in the future. It is recommended that the court continue supervision and sanction him to complete 120 days of location monitoring.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 120 consecutive days. The defendant is restricted to his residence during the curfew hours. The

defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer. The defendant must pay all of the cost of the program.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ David W. Leake
David W. Leake
Supervising U.S. Probation Officer

/s/ Cierra M. Wallace
Cierra M. Wallace
U.S. Probation Officer
414 Chestnut Street, Suite 102
Wilmington, NC 28401-4290
Phone: 910-679-2034
Executed On: July 27, 2022

ORDER OF THE COURT

Considered and ordered this 28 day of July, 2022, and ordered filed and made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
United States District Judge